

INDIANA SUPREME COURT DIVISION OF STATE COURT ADMINISTRATION



MARION COUNTY SMALL CLAIMS COURTS Annual Revenue Report Application Guide Revised October 2015

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COLUMN HEADING DESCRIPTIONS

Column Headers

The spreadsheet has three columns for data entry: State Level, County Level, and City/Town/Township Level Funds (General & Specific).

State Level Funds (General & Specific)

This portion of the court fee or cost is to be distributed to the State Auditor for deposit in a designated fund. Most revenues are deposited in the State general fund but some specific funds have been created to support related services. Regardless of whether the fund is general or specific, indicate the portion of each fee to be distributed to the State.

County Level Funds (General & Specific)

This portion of the court fee or cost is to be distributed to the County Auditor for deposit in a designated fund. Most revenues are deposited in the County general fund but some specific funds have been created to support related services. Regardless of whether the fund is general or specific, indicate the portion of each fee to be distributed to the County.

Township Level Funds (General & Specific)

This portion of the court fee or cost is to be distributed to the local level (city or town or township) for deposit in a designated fund. Most revenues are deposited in the local level general fund but some specific funds have been created to support related services. Regardless of whether the fund is general or specific, indicate the portion of each fee to be distributed to the Local Level.

Money to Others*(Constable)

When the claimant wants the court filings to be served on the defendant or defendants personally, the Court charges an extra \$13 for certified mail or personal service by the Constable or bailiff. All revenues collected for certified mail (line 2) and personal service (line 3) are reported in this column. When reporting revenues in this column, provide the recipient in the text box provided.

LINE ITEM DESCRIPTIONS

The line items for the report relate to the itemized fees charged by courts for various reasons. Most fees collected by the Courts are itemized but if a fee is not separately indicated, the court should report the revenue collected on line 12, "Other," based upon the statutory distribution requirements and indicate the sources in the text box provided. Line 12 will be discussed below.

Line 1: Filing Fee and Township Docket Fee

The filing fee and township docket fee are the basic expense for filing a small claims case. The \$37 fee charged in Marion County Small Claims cases represents a \$5 township docket fee plus 45% of the amount charged in an infraction case or violation of ordinance case, rounding up to the next highest whole number. The revenue collected for this fee is reported in the Township level column for deposit in the Township general fund and distributed to the township trustee monthly. I.C. 33-34-8-1(a)(1); 33-34-8-1(b); 33-34-8-3(a). Effective July 1, 2015, All township small claims courts in Marion County will send \$1.50 of the docket fee to the township trustee of the designated low caseload small claims court at the end of each month. The designated low caseload small claims court is determined by the Marion County circuit judge. I.C. 33-34-8-3(c); 33-34-8-5.1.

Line 1A – report all filing fee and township docket fees kept by the reporting court.

Line 1B – report the total of the \$1.50 docket fee sent to the low caseload court as determined by the presiding judge over Marion County Small Claims Courts.

Line 2: Service of Process Fee (Certified Mail)

The court bailiff will charge \$13 in addition to the filing fee above for service of the court filing by certified mail. The initial service of process fee is charged when the case is initiated but additional service shall be assessed after service is made. The revenues are reported in the Money to Others column and distributed to the bailiff or constable who executed service. I.C. 33-34-8-1(a)(2).

Line 3: Service of Process Fee (Personal Service)

The bailiff or constable shall assess a \$13 fee for personal service on the defendant. The initial service fee is charged when the case is initiated. All subsequent service fees will be assessed after service is made. To the extent the constable is the person who executes the personal service, the

\$13 fee is reported in the Money to Others column and provided to the bailiff or constable who executed service. I.C. 33-34-8-1(a)(3).

Line 4: Pro Bono Legal Services Fee

Effective July 1, 2012 but before July 1, 2017 this \$1 fee is assessed in each Marion County small claims action. Semiannually the clerk distributes this fee to the state auditor for transfer to the Indiana Bar Foundation to be used by the foundation to assist or establish approved pro bono legal services programs. I.C. 33-34-8-1(a)(13); 33-34-8-3(b)(1)(F); 33-37-5-31.

Line 5: Redocketing Fee

If a claimant seeks to have a case that was previously closed or dismissed reopened for resolution, the court will charge a \$5 fee to redocket the case. This fee is reported in the Township Level Funds column and deposited in the township general fund. I.C. 33-34-8-1(a)(5).

Line 6: Document Storage Fee

The clerk shall collect a Document Storage Fee of \$2 in every action through June 30, 2015. This fee increases to \$5 beginning July 1, 2015 through June 30, 2017 and will then decrease back to \$2. Semiannually, the clerk distributes this fee to the county auditor for deposit to the Clerk's Record Perpetuation Fund which may be used by clerks for the preservation of records or for the improvement of record keeping systems and equipment. I.C. 33-37-5-20; 33-34-8-1(a)(6); 33-34-8-3(d)(2).

Line 7: Judicial Salaries Fee

This fee is imposed in all cases to support the judicial salaries for the court. This fee is \$15 for small claims cases. The Small Claims courts report 25% of the fee in the Township level column for deposit to the Township general fund. The remaining 75% is reported in the State level column for deposit in the state general fund. I.C. 33-37-5-26(b); 33-37-5-26(e)(6); 33-34-8-1(a)(11); 33-34-8-3(b)(1)(E).

Line 8: Public Defense Administration Fee

This \$3 is imposed for all case types. It is reported in the State level column. Previously, this fee was titled the Judicial Administration Fee. The court distributes this fee to the state auditor semiannually for deposit to the state general fund. This fee is used to defray the cost of Public Defenders. I.C. 33-37-5-21.2; 33-34-8-1(a)(9); 33-34-8-3(b)(1)(B).

Line 9: Judicial Insurance Adjustment Fee

This \$1 fee is collected in all civil cases. The court distributes this fee to the state auditor semiannually for deposit to the state judicial branch insurance adjustment account. I.C. 33-37-5-25; 33-38-5-8.2; 33-34-8-1(a)(10); 33-34-8-3(b)(1)(D).

Line 10: Automated Recordkeeping Fee

This fee applies in all cases. This fee was increased from \$7 to \$19 effective May 7, 2015 upon passage of legislation. Since Marion County Small Claims courts do not handle actions that may result in a pretrial diversion program or a deferral program, all automated recordkeeping fees collected will be reported in the State level column and deposited in the state user fee fund for distribution to the Judicial Technology and Automation Committee Fund. I.C. 33-37-5-21; 33-34-8-1(a)(7); 33-34-8-3(b)(1)(A); I.C. 33-37-9.

Line 11: Court Administration Fee

This \$5 fee is imposed in all cases. 60% of the fee (\$3) is reported in the State level column and 40% of the fee (\$2) is deposited in the Township level column to fund the operations of the small claims court. I.C. 33-37-5-27; 33-34-8-1(a)(12); 33-34-8-3(b)(1)(C); 33-34-8-3(c).

Line 12: Other Fees

When revenues have been collected but are not categorized in one of the above line items, report the revenues on this line in the appropriate column for distribution. In the text box provided, list the total amount collected for each revenue source and separate each source by commas. Examples include:

Late payment fees
Witness fees collected
Document fees
Grants

Do not include any trust monies as they are not court revenue.

Grand Totals

The ICOR system will automatically tally each column. Check the totals against your totals on your worksheet to verify your information has been entered correctly.

Please contact the Court Technology helpdesk (1-888-275-5822) if you have difficulties submitting your report or discover an error after submission to State Court Administration.